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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SUN
Serial No.: 10/571,836
Filed: March 15, 2006
Title: A SUPERANTIGEN FUSION PROTEIN FOR ANTI-CANCER THERAPY AND METHODS FOR THE PRODUCTION

Examiner: Anne GUSSOW
Group Art Unit: 1643
Docket: 09548.1019USWO

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on July 6, 2007.

By: 
Name: Ralynn Wilhelm

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Copies of any foreign patent documents or "Other Documents" are enclosed.

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the Filing Date, before the mailing date of a First Office Action on the merits, or before the mailing date of a First Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. §1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and
- ☐ the requisite Statement is below, OR
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein, or
- ☐ (3) after the mailing date of a Final Rejection or Notice of Allowance but on or before the payment of the Issue Fee, AND
- ☐ the requisite Statement is below, AND

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- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein.

STATEMENT

As required under §1.97(e), Applicants hereby state either that:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

- ☐ If this box is checked, Applicant provides the following:

Certification Under 37 C.F.R. §1.704(d)

In accordance with 37 C.F.R. §1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

- ☐ The Examiner is hereby advised of the following co-pending U.S. applications. A copy of each U.S. patent application publication (if published) or application (if not published) is enclosed.

Application No.

Filing Date

Group

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §1.98(a)(3)):

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached

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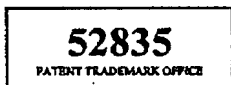
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Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

FEE AUTHORIZATION

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 50-3478. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,



HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.

Post Office Box 2902
Minneapolis, MN 55402-0902
(612) 455-3800

Dated: July 6, 2007

By: 

Bryan A. Wong
Reg. No. 50,836

BAW:rkw

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Date: July 6, 2007

Sheet 1 of 1

JUL 06 2007

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 09548.1019USWO	Application Number: 10/571,836
	Applicant: SUN	
	Filing Date: March 15, 2006	Group Art Unit: 1643

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	HEIMBROOK et al., "Transforming growth factor α - <i>Pseudomonas</i> exotoxin fusion protein prolongs survival of nude mice bearing tumor xenografts", Proc. Natl. Acad. Sci. USA, Medical Sciences, Vol. 87, pp. 4697-4701, June 1990.
	PONTZER et al., "T-cell antigen receptor binding sites for the microbial superantigen staphylococcal enterotoxin A", Proc. Natl. Acad. Sci. USA, Medical Sciences, Vol. 89, pp. 7727-7731, August 1992.
	INOUE et al., "Treatment of Intracranial Tumors by Systemic Transfer of Superantigen-activated Tumor-draining Lymph Node T Cells", Cancer Research 56, pp. 4702-4708, October 15, 1996.
	THOMAS et al., "Abrogation of Head and Neck Squamous Cell Carcinoma Growth by Epidermal Growth Factor Receptor Ligand Fused to <i>Pseudomonas</i> Exotoxin Transforming Growth Factor α -PE38", Clinical Cancer Research, Vol. 10, pp. 7079-7087, October 15, 2004.
	HOLZER et al., "T-cell stimulation and cytokine release induced by staphylococcal enterotoxin A(SEA) and the SEAD227A mutant", Blackwell Science Ltd., Immunology, 90, pp. 74-80, 1997.
	SHIAH et al., "Pseudomonas Exotoxin A-Epidermal Growth Factor (EGF) Mutant Chimeric Protein as an Indicator for Identifying Amino Acid Residues Important in EGF-Receptor Interaction", The Journal of Biological Chemistry, The American Society of Biochemistry and Molecular Biology, Inc., Vol. 267, No. 33, pp. 24034-24040, November 25, 1992.
	DOHLSTEN et al., "Antibody-targeted superantigens are potent inducers of tumor-infiltrating T lymphocytes <i>in vivo</i> ", Proc. Natl. Acad. Sci. USA, Immunology, Vol. 92, pp. 9791-9795, October 1995.

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EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE